

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MAURICIO A. LEON, M.D.,

Plaintiff,

v.

IDX SYSTEMS CORPORATION, a
Vermont Corporation,

Defendant.

No. CV03-1158P

[PROPOSED] ORDER GRANTING
DEFENDANT'S MOTION TO DISMISS
AND FOR TERMS RE: SPOILIATION
OF EVIDENCE

This matter comes before the Court on defendant IDX Systems Corporation's Motion to Dismiss and for Terms Re: Spoliation of Evidence. The Court, having considered the pleadings filed in support of the motion and any opposition thereto, and begin fully advised, hereby: GRANTS the motion, dismisses the action, awards IDX its reasonable attorney fees and costs incurred in investigating and litigating plaintiff's spoliation, and imposes a court fine in the amount of \$_____.

DATED this _____ day of _____, 2004.

MARSHA J. PECHMAN
UNITED STATES DISTRICT JUDGE

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